IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

Bail Appl..No. 2959 of 2007()

CMP.2154/2007 of J.M.F.C-I.,KASARAGOD
CRIME NO.21/2007 OF KUMBALA EXCISE RANGE

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: PETITIONER/ACCUSED

RAPHEL D'SOUZA, S/O.GEORGE D'SOUZA,
BELLUR, BELLUR VILLAGE, KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON
SMT.GOVINDU P.RENUKADEVI

RESPONDENTS: COMPLAINANT

THE SUB INSPECTOR OF POLICE,
KUMBALA EXCISE RANGE, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO.2959 of 2007

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DATED: 23-5-2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C., the petitioner who is the accused in C.R. No.21/2007 of Kumbala Excise Range for an offence punishable under Section 55(a) of the Abkari Act for having been found in possession of 290 packets of karnataka arrack, each containing 100 ml., seeks his enlargement on bail. Petitioner was arrested on 5.5.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner but only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 11.6.2007, on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M-I, Kasargode and subject to the following conditions:

(a). Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

mrcs